

**MEMO ENDORSED.**

Justin MacLean  
 Tel 212.801.3137  
 Fax 212.309.9537  
 Justin.MacLean@gtlaw.com

Application **GRANTED.****SO ORDERED.**

August 21, 2023

A handwritten signature in blue ink, appearing to read "Ona T. Wang".

**VIA ECF**

The Honorable Ona T. Wang  
 United States Magistrate Judge  
 United States District Court  
 500 Pearl Street, Courtroom 20D  
 New York, NY 10007-1312

Ona T. Wang 8/22/23  
 U.S.M.J.

Re: *The Sanborn Library LLC et al. v. ERIS Information Inc. et al.*, Case No. 1:19-cv-02049

Dear Judge Wang:

We represent Defendants / Counterclaim-Plaintiffs ERIS Information Inc., Eco Log Environmental Risk Information Services Ltd., and ERIS Information Limited Partnership (collectively "ERIS"). As the Court is aware, on August 28, 2023, ERIS is scheduled to file its reply in support of its motion for summary judgment and in opposition to EDR's cross-motion ("Reply/Cross-Opposition"). Consistent with the sealing procedures previously requested by the parties and granted by the Court (*see* Dkt. 226, 252), ERIS respectfully requests leave to (i) file all of their Reply/Cross-Opposition materials *provisionally* under seal on a flash drive or disk, instead of through the Court's ECF system by the August 28 deadline; and (ii) formally file motions to seal only those materials that warrant confidential treatment, and publicly file the remaining materials, on ECF thirty-one (31) days later, by September 28, 2023, or at such time as the Court directs. ERIS has conferred with counsel for EDR"), who consent to ERIS' request.

As grounds for this provisional request, ERIS anticipates that a portion of its Reply/Cross-Opposition materials will contain information designated as Confidential or Highly Confidential – Outside Counsel's Eyes Only under the Protective Order (ECF 96) by ERIS or EDR, and that compelling reasons exist to keep such information under seal. *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110 (2d Cir. 2006); *Bernstein v. Bernstein Litowitz Berger & Grossman LLP*, 814 F.3d 132 (2d Cir. 2016). However, due to the number and file sizes of materials and the risk of logistical and technical difficulties, ERIS respectfully submits that it would not be efficient to file copies of those materials through the ECF system, while contemporaneously filing a formal application to seal. This procedure will also afford the parties an opportunity to confer regarding the need to seal any confidential or highly confidential documents, and provide appropriate explanations for the Court.

Respectfully submitted,

/s/ Justin A. MacLean

cc: Counsel of Record